THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.36666 OF 1998

Date: 08th December 2006

Between:

1. KanchibotlaLakshmiSundari (died)
   and 3 others.

… Petitioners.

And

Commissioner, Malkajgiri Municipality,
Ranga Reddy District.

… Respondent.

* * *

ORDER:

Heard the counsel.

2. The writ petition is filed for a writ of Mandamus directing the respondent not to demolish any portion of building existing in premises bearing No.4-211 to 4-212, situated at S.No.803, Gita Nagar, Malkajgiri, Hyderabad, belonging to the petitioners without paying compensation by initiating proceedings under Land Acquisition Act, and if any steps are taken to widen the road, it shall be done equally on either side by taking into consideration the existing kutcha road on either side and pass such other suitable orders.

3. Several factual details are narrated in paragraphs 3, 4, 5, 6, 7, 8, 9 and 10 of the affidavit filed in support of the writ petition.

The main grievance of the petitioners is that without following due process of law, there is a threat of demolition in relation to the subject matter of the writ petition.

4. In the light of the specific stand taken, this Court is of the considered opinion that the writ petition be disposed of directing the respondent not to resort to demolition activity in relation to the subject matter of the writ petition unless and until due process of law is followed.

5. The writ petition is disposed of accordingly. No costs.

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P.S.NARAYANA, J.

Date: 08th December 2006
BSB